

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

v.

MICHAEL D. PEAK

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

Case No. 2:16-pt-7
USM Number: 13021-089

_____/ Elizabeth A. LaCosse
Defendant's Attorney

THE DEFENDANT:

- admitted guilt to violation of a general condition of the term of supervision.
- was found in violation of of condition(s) after denial of guilt.

Violation Number and Nature of Violation

- 1 General Condition: "The defendant shall not commit another federal, state or local crime." On multiple occasions between on or about June 14 and July 30, 2016, Mr. Peak possessed and used Percocet, a schedule II controlled substance, without a prescription, in violation of 21 U.S.C. § 844(a), punishable by imprisonment for not less than 90 days but not more than 3 years and a minimum fine of \$5,000.00 based upon Mr. Peak's prior drug convictions. This is also a violation of MCL 333.7403(2)(A)(5) - Controlled Substance - Possess Narcotic/Cocaine Less Than 25 Grams, which is punishable by imprisonment for not more than 4 years or a fine of not more than \$25,000.00, or both.

The defendant is sentenced as provided in page 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The government will dismiss violations 2, 3, and 4 of the petition..

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Date of Imposition of Sentence: August 22, 2016

Dated: _____

PAUL L. MALONEY
UNITED STATES DISTRICT JUDGE

AO 245D (Rev. 12/03) Sheet 2 - Imprisonment

Judgment--Page 2 of 2

Defendant: MICHAEL D. PEAK

Case Number: 2:16-pt-7

IMPRISONMENT

The defendant's term of supervised release is revoked and the defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of: **10 months with 3 of the 10 months to be in a half-way house with substance abuse treatment, preferably an in-patient treatment program. No term of supervised release to follow.**

- The court makes the following recommendations to the Bureau of Prisons:

- The defendant is remanded to the custody of the United States marshal.
 The defendant shall surrender to the United States marshal for this district
 at ** a.m./p.m. on **.
 as notified by the United States marshal.
 The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
 before 2 p.m. on **.
 as notified by the United States marshal.
 as notified by the probation office.

RETURN

I have executed this judgment as follows:

____ Defendant delivered on _____ to _____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal